

From: [Healy, Sarah \(EEA\)](#)
To: [Moran, Gary \(DEP\)](#); [Suuberg, Martin \(DEP\)](#); [Ferrarese, Brian \(DEP\)](#); [Veilleux, Anthony \(DEP\)](#); [Coletta, Edmund \(DEP\)](#)
Cc: [Kim, Tori \(EEA\)](#); [Lorenz, Peter \(EEA\)](#); [Sieger, Daniel \(EEA\)](#); [Ullman, Rebecca \(EEA\)](#); [Zeringo, Serafina T \(EEA\)](#); [Gronendyke, Katie \(EEA\)](#); [Beaton, Matthew \(EEA\)](#)
Subject: RE: Weymouth Audit
Date: Friday, April 12, 2019 4:28:57 PM
Attachments: [weymouth audit.docx](#)

This is all set to send on Tuesday. Just a few minor edits in the attached communication. Would someone just be able to share the signed NOAF/NON when it's ready?

Thank you!

Sarah

From: Moran, Gary (DEP) <gary.moran@mass.gov>
Sent: Wednesday, April 10, 2019 2:29 PM
To: Sieger, Daniel (EEA) <daniel.sieger@mass.gov>; Ullman, Rebecca (EEA) <rebecca.ullman@mass.gov>; Zeringo, Serafina T (EEA) <Serafina.T.Zeringo@mass.gov>
Cc: Ullman, Rebecca (EEA) <rebecca.ullman@mass.gov>; Kim, Tori (EEA) <tori.kim@mass.gov>; Healy, Sarah (EEA) <sarah.healy@mass.gov>; Suuberg, Martin (DEP) <martin.suuberg@mass.gov>; Ferrarese, Brian (DEP) <Brian.Ferrarese@mass.gov>; Veilleux, Anthony (DEP) <anthony.veilleux@mass.gov>; Veilleux, Anthony (DEP) <anthony.veilleux@mass.gov>; Coletta, Edmund (DEP) <edmund.coletta@mass.gov>
Subject: Weymouth Audit

MassDEP has completed its comprehensive audit of the site of the proposed compressor station in Weymouth, and will be issuing a "Notice of Audit Findings/Notice of Noncompliance" on Thursday, April 10, 2019 (NOAF/NON attached). Basically, the Notice informs Algonquin that their "Permanent Solution Statement" had several deficiencies that must be corrected. These include:

1. The statement did not adequately characterize the site because:
 - a. It excluded consideration of pollutants related to coal ash on site, finding that the ash represented "historic fill." Because the coal ash was generated onsite and through a manufacturing process, it is not considered historical fill. The major implication of this is that they may have to evaluate the potential impact to the sediment and surface water in the Fore River, which is likely to be impacted by other sources (making the ecological risk more complicated).
 - b. They did not perform adequate work to demonstrate extent the of LNAPL (a petroleum contaminant) at the site.
 - c. They did not sufficiently sample shallow soil in some areas of the site.
2. The Conceptual Site Model submitted with the statement did not include all the required information (a CSM is a description of how contamination on site, potential exposure to humans/environment, potential risk and an evaluation of strategies employed to address the contamination).

The Notice gives Algonquin until **Friday, July , 12th, 2019** to submit necessary data and analysis to

address these deficiencies, or to withdraw their Permanent Solution Statement, and perform necessary assessment and remediation consistent with the hazardous waste site cleanup regulations.

In either case, because they have conducted a significant amount of assessment in the central portion of the property and they would be able to excavate contaminated soil during construction by submitting a Release Abatement Plan pursuant to our cleanup regulations, it is not expected that the additional work required would have an impact on the project moving forward.

Communications/Rollout:

- Tori Kim discussed the issuance of the NOAF with Christophe Courchesne, Chief of the AG's Environmental Protection Division earlier this week.
- A comprehensive audit was requested by the Congressman Lynch and the Mayors of Weymouth, Braintree, and Quincy in a meeting with the Governor on January 24, 2019 and in a followup letter of February 13, 2019. MassDEP will call the Mayors' offices Thursday morning to notify them the Audit findings are being released, and will forward a copy of the NOAF/NON to their offices with a summary email (also attached, "Weymouth audit.doc").
- MassDEP will also send a similar email and the NOAF/NON to the legislators most directly engaged in the Weymouth matter (Sen. O'Connor and Keenan, Representatives Murphy, Mariano, and Meschino).

Gary S. Moran
Department of Environmental Protection
1 Winter Street 2nd Floor
Boston, MA 02180
617-292-5775

Dear Mayor Hedlund;

Governor Baker has requested that we contact you regarding the Comprehensive Audit performed by the Massachusetts Department of Environmental Protection (MassDEP) of the Permanent Solution Statement/ Activity and Use Limitation (AUL) filed by Algonquin Gas Transmission, LLC for the site of the proposed compressor station, 6 and 50 Bridge Street, Weymouth. This audit was requested at the January 24, 2019 meeting Governor Baker held with ~~the Mayors Hedlund~~you, Mayor Sullivan, and Mayor Koch and Congressman Stephen Lynch ~~held on January 24, 2019~~ and in your ~~the Mayors'~~ follow-up letter to the Governor on February 13, 2019.

MassDEP has completed the audit of the Permanent Solution Statement and accompanying AUL. I have attached a copy of the results, a "Notice of Audit Findings and Notice of Noncompliance." MassDEP has determined that response actions were not performed in full compliance with the requirements of the Massachusetts hazardous waste cleanup regulations (the Massachusetts Contingency Plan, or "MCP"). The attached documents lists the actions that are required to achieve compliance, and establishes a deadline of Friday, July, 12, 2019 to address these deficiencies, or retract the existing Permanent Solution Statement and AUL and complete necessary assessment and remediation actions pursuant to the MCP.

One of the specific issues raised at the January 24th meeting and February 13th letter was whether coal ash on the site was properly determined to meet the definition of "historic fill" included in the MCP. MassDEP has determined that this fill material originated from operations or activities at the location of emplacement and is a manufacturing waste, and therefore cannot be considered historic fill. As such, the nature and extent of metals in the soil and groundwater attributable to the fill must be assessed and considered ~~when~~ in the risk characterization for the site.

If you have questions regarding this matter, please contact Gary Moran, MassDEP Deputy Commissioner for Operations, at 617-292-5775.

Sincerely,